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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of:

Inventor(s) : Kouichi YOSHIDA *et al.*  
Serial Number : 10/798,427  
Filed : March 12, 2004  
For : PIPING ARRANGEMENT FOR  
SWING TYPE HYDRAULIC EXCAVATORS  
Examiner : Christopher J. Novosad  
Group Art Unit : 3671

**INFORMATION DISCLOSURE STATEMENT UNDER  
37 CFR § § 1.97 AND 1.98**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

November 17, 2004

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56 applicant hereby notifies the United States Patent and Trademark Office of the documents which are listed on the attached PTO-1449 form and which the examiner may deem relevant to the patentability of the claims in the above-identified application. One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after either a final Office Action 37 C.F.R. § 1.113, a Notice of Allowance 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application, but before payment of the Issue Fee, and therefore applicant is submitting herewith a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) and the statement specified

in 37 C.F.R. § 1.97(e).

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for the listed foreign language documents, applicant encloses herewith a copy of a corresponding foreign Search Report citing each of these documents, together with an English-language version of that portion of the Search Report indicating the degree of relevance (if not already included) found by the foreign office. In addition, an English abstract is attached in front of each listed document, and the computer-generated English translation is attached behind each listed document.

It is respectfully requested that the Examiner initial or otherwise mark one copy of forms PTO-1449 and forward the same to the applicants indicating that the documents listed thereon have been considered.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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Group Art Unit : 3671

STATEMENT UNDER 37 CFR §1.97(e)

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

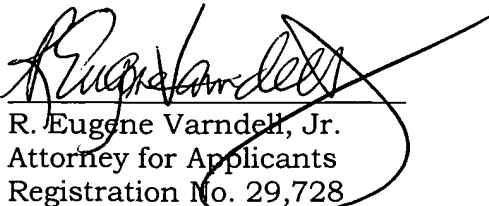
November 18, 2004

Dear Sir:

The undersigned hereby states:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,  
VARNDELL & VARNDELL, PLLC  
(Formerly Varndell Legal Group)

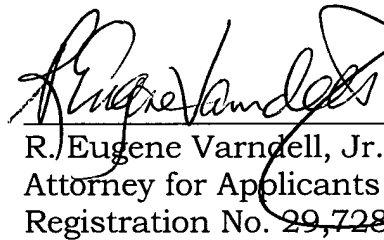
  
R. Eugene Varndell, Jr.  
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(703) 683-9730

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In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our Deposit Account No. 22-0256.

Respectfully submitted,  
VARNDELL & VARNDELL, PLLC  
(formerly VARNDELL LEGAL GROUP)



R. Eugene Varndell, Jr.  
Attorney for Applicants  
Registration No. 29,728

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PATENT & TRADEMARK OFFICE

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VX042594

[illegible][illegible]

Date Considered

<sup>6</sup> Applicant is to place a check mark here if English language translation is attached, where "P" means a partial translation, such as an abstract.

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